

**CERTIFICATION PURSUANT TO KRS 81A.470**

I certify I am the duly qualified Clerk of the City of Flatwoods, Greenup County, Kentucky, and Ordinance No. 2 dated May 6, 2014 is a true, correct and complete copy duly adopted by the City Council at a duly convened meeting held on May 6, 2014, all as appears in the official records of the City of Flatwoods, Kentucky.

Leathen McKin  
CLERK, CITY OF FLATWOODS, KENTUCKY

RECEIVED AND FILED  
DATE June 9, 2014

ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Kandice Addison

ORDINANCE NO. 2

**AN ORDINANCE OF THE CITY OF FLATWOODS, KENTUCKY  
SEVERING FROM THE CITY A CERTAIN PORTION OF LAND AND  
APPROVING ITS ANNEXATION BY THE CITY OF RUSSELL,  
KENTUCKY AND OTHER MATTERS;**

WHEREAS, the City of Russell, Kentucky, by Ordinance, proposed to annex a portion of the City of Flatwoods;

WHEREAS, a vote was taken by the residents of said territory within the City of Flatwoods to be severed from Flatwoods and annexed by Russell;

WHEREAS, the City of Flatwoods does agree with the plat and description provided by the City of Russell for said property and attached hereto as Exhibits "A" and "B"; and

WHEREAS, said special election was properly held, and the residents of said area voted to be severed from the City of Flatwoods and annexed by the City of Russell;

NOW, THEREFORE, let it be ordained by the Common Council of the City of Flatwoods, Kentucky as follows:

1. The City of Flatwoods, Kentucky does hereby agree to and, by this Ordinance, does hereby sever from the boundaries of the City of Flatwoods certain property described as follows:

SEE ATTACHED EXHIBITS "A" AND "B"

2. The City of Flatwoods does hereby accept the results of the election placed on the ballot on November 4, 1980. The City attaches to this Ordinance as Exhibit "C" the election question and vote totals from the results of said election.

3. The City of Flatwoods, Kentucky does hereby accept as its boundary (as the boundary of the severance) the attached plat and description, Exhibits "A" and "B", prepared by

a professional surveyor and does hereby request that the Secretary of State enter into its records the description and plat prepared by the surveyor on the plat attached hereto as Exhibit "B" and legal description attached hereto as Exhibit "A".

4. The City of Flatwoods does hereby agree and consent to Resolution No. 24 of the City of Russell, Kentucky, attached hereto as Exhibit "D", annexing to Russell certain property formerly being within the boundaries of the City of Flatwoods, Kentucky and severing same from Flatwoods.

5. All ordinances in conflict herewith are specifically hereby repealed to the extent of said conflict only.

6. Each section and each sentence of this Ordinance is enacted separately and the invalidity and/or unconstitutionality of any one particular sentence and/or section shall not affect the validity and/or constitutionality of any other sentence and/or section.

7. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

  
MAYOR, CITY OF FLATWOODS, KENTUCKY

ATTEST:

  
CITY CLERK-TREASURER


FIRST READING: 4/15/14

SECOND READING: 5/6/14

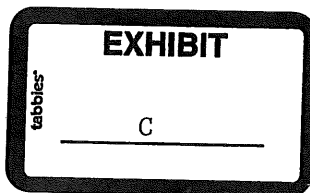
## CERTIFICATION

I, Pat Hieneman, Clerk of Greenup County, Kentucky, certify that my letter dated 02-25/2013 is a correct statement as to the annexation question proposed concerning the City of Russell Ordinance No. 12 dated September 2, 1980.

Witness my hand and seal of Greenup County, Kentucky, this 23<sup>rd</sup> day of December, 2013.

  
PAT HIENEMAN  
GREENUP COUNTY CLERK

SEAL:





*Pat Hieneman*  
Greenup County Clerk

Phone (606) 473-7394

Fax (606) 473-5354

02/25/2013

I, Pat Hieneman, Clerk of Greenup County attest that in Greenup County's Record of Election Book #3, Page 523 there is a record of an Annexation question placed on the ballot on 4/1/1980. The question is not recorded but the following precincts had recorded votes: Flatwoods #2, Flatwoods #3, Kenwood, Russell#1 and Russell #2. The results were For-362 and Against-246.

Pat Hieneman  
Greenup County Clerk

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ARE YOU A MEMBER OF ANY OF THE CITY OF BOSTON  
COUNCILS?

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**QUALIFIED REGISTERED VOTERS**

Joe Chou	Bob Austin	Joe Mantle	Barbara Lonnert
Linda Chou	Sandy Austin	Balinda Morthe	Gary Callihan
Lyle Paul	Vickie Austin (17)	Carl Roe	Sharon Callihan
Mary Paul	Mrs. Oscar Gilley	Ann Roe	Gary Jensen
Greg Paul	Russ Cox	Diane C. Roe	Grant Jensen
Wayne Beck	Sharon Cox	Rose Conroy	Joan Jensen
Shezi Beck	Unni Unnikrishnan	James Gearheart	Ronald Lewis
David Trubica	Usha Unnikrishnan	Shirley Gearheart	Susan Lewis
Judy Trubica	Sam E. Commella	Loft Ann Gearheart	James Leslie
Paul Maora	Randy Rice	Margaret Commella	Ulna G. Leslie
Jean Moore	Mary Alice	Charles R. Brannock	Janet R. Leslie
Joe Carol	Sony Adams	Mary V. Brannock	David M. Hager
Dot Carol	Judy Adams	Charles R. Brannock, Jr.	Ealhar M. Hager
John Abshire	Henry Reiney	Ronald Ault	Clay Daniels
Margie Abshire	Pat Barney	Zandra Ault	Ruth Daniels
Mary Abshila	Russell Downs	David Jucker	William Timothy Daniels
Delmer Fraley	Sally Downs	Katherine Junker	Cliff Stull
Rhonda Fraley	Robert Cazin	Jay C. Staver	Sally Stull
Joe Hood	Bonnie Cazin	Jacqueline M. Staver	Todd Stull
Carol Hood	Kim Cazin	William Tachett	Bernice Stull
	Bob Cazin	Calise Tachett	
	Devon Cazin		

STATE OF KENTUCKY  
COUNTY OF GREENUP

STATE OF NEBRASKA  
COUNTY OF GREENUP

I, Donald "Sonny" Davidson, County Clerk in and for said county and state do hereby certify that the foregoing instruments of writing are true and correct copies of the ballots that will appear on all voting machines in Greenup County for the November 4, 1980 General Election.

Given under my hand and seal of office this the 23rd day of October, 1980.

*[Signature]*

Davidson, Clerk

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RESOLUTION # 24

Decen ber 23, 2013

**RESOLUTION CORRECTING AN ORIGINAL KRS 81.045 FILING AND ADOPTING A MODERN LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE**

WHEREAS, the City of Russell, Kentucky, (hereinafter the "City"), on June 17, 1981 and July 10, 1981 submitted boundary statements and other information in compliance with KRS 81.045 and

WHEREAS, an area annexed by Ordinance No. 15 dated January 5, 1981 was not included in the KRS 81.045 boundary statements inasmuch as the maps submitted were prepared before 1981, and the City failed to make a correction to the map to include the hereinabove referenced Ordinance No. 15 dated January 5, 1981 when the KRS 81.045 filing was submitted to the Secretary of State's Office in 1981; and

WHEREAS, Ordinance No. 15, dated January 5, 1981 was not overturned in court or in an election process; and

WHEREAS, the City further wishes to provide a modern legal description and annexation plat for the purposes of showing the location of the prior January 5, 1981 annexation, same having been prepared by a professional land surveyor for the purposes stated therein; and

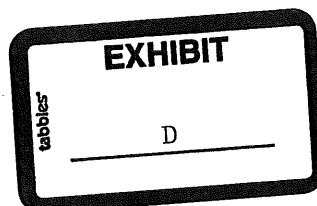
WHEREAS, the City wishes to correct its KRS 81.045 filing and comply with the Kentucky Revised Statutes 81A.470, effective July 13, 2004; and

WHEREAS, with respect to Ordinance No. 15 dated January 5, 1981, the City does not intend to annul its prior Ordinance annexing, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern legal description of territory previously annexed; and

WHEREAS, the City wishes to add the modern legal description of the territory previously annexed to its KRS 81.045 filing, thereby correcting same,

IT IS HEREFORE be it resolved by the City of Russell, Kentucky as follows:

1. The City adopts the following legal description and plat attached hereto as prepared by William T. Blagg, PE PLS 1965, Licensed Professional Land Surveyor for the purposes stated therein, to modernize the description of the property previously annexed into the corporate city limits of the City of Russell by Ordinance No. 15 dated January 5, 1981, a certified copy of which is attached hereto as Exhibit C and hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City for all purposes when referencing this prior annexation.




2. The new legal description as prepared by Philip T. Biggs, PE PLS 1965, Licensed Professional Land Surveyor for the purposes stated therein, is as follows:

See Attached Exhibit A for said Legal Description  
See Attached Exhibit B for said Annexation Plat

3. This Resolution and the attached documents shall be filed with the Office of the Secretary of State to correct the City's KRS 81.045 filing.

ADOPTED unanimously upon proper motion, second and vote on this 23<sup>rd</sup> day of December, 2013.

  
WILLIAM C. HOPKINS, MAYOR  
CITY OF RUSSELL, KENTUCKY

WITNESSED:

  
JOYCE CONLEY, CLERK  
CITY OF RUSSELL, KENTUCKY

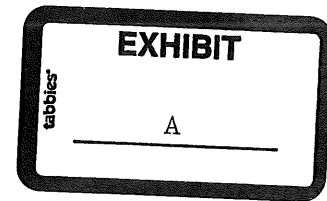
SEAL:



**PHOENIX-DIAMOND, INC.**

P.O. Box 706 ( 410 Main Street )  
Greenup, Kentucky 41144  
(606) 473-5474 / (606) 922-6848

E-mail : [diamond.biggs@zoominternet.net](mailto:diamond.biggs@zoominternet.net)



CONSULTING ENGINEERS • PROFESSIONAL SURVEYORS • PLANNERS • CONSTRUCTION MANAGEMENT  
LICENSED IN : KENTUCKY, OHIO, & WEST VIRGINIA

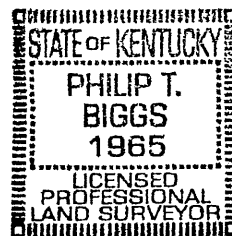
**RUSSELL REVISED ANNEXATION DESCRIPTION  
FOR ORDINANCE No.15 dated 01-05-1981:**

Beginning at the northeast corner of the Annexation Boundary located on the original eastern Flatwoods Corporation Boundary of the "FOURTH ANNEXATION OF THE CITY OF FLATWOODS IN 1960", said corner having Geodetic KY North Zone State Plane Coordinates of: NORTH: 376,519.32 Feet / EAST: 2,443,651.14 Feet, and being located at the mid-point of the rear line of Lot-55 of HILLCREST COURT SUBDIVISION; Thence running with the former common line of the Cities of Flatwoods and Russell, South 19°28'00" West a Distance of 1,515.00 Feet to a point with North Zone Coordinates of: 375,099.13 Feet / EAST: 2,443,123.67 Feet; Thence continuing with the original line between the Cities of Flatwoods and Russell, South 43°15'47" West a Distance of 1,032.58 Feet to a Concrete Monument with Cap Stamped "FCL-30" with North Zone Coordinates of: NORTH: 374,358.515 Feet / EAST: 2,442,404.160 Feet on the Original and Present Common City Limits Line between Flatwoods and Russell, and from which point another Common City Limits Corner No. 31 between Flatwoods and Russell bears South 23°25'15" West a Distance of 184.75 Feet with North Zone Coordinates of: NORTH: 374,188.987 Feet / EAST: 2,442,330.726 Feet; Thence with the west line of this Annexation of Russell and producing the Revised City Limits between Russell and Flatwoods, North 23°09'34" East a Distance of 780.00 Feet to an original corner of "THE FOURTH ANNEXATION - 1960" of the City of Flatwoods with North Zone Coordinates of NORTH: 375,070.69 Feet / EAST: 2,442,722.26 Feet; Thence continuing with the Revised City Limits, North 19°12'29" East a Distance of 1,600.61 Feet to the Northwest Corner of the Russell Annexation with North Zone Coordinates of: NORTH: 376,573.64 Feet / EAST: 2,443,272.77 Feet, and being the Northwest Corner of the HILLCREST COURT SUBDIVISION as recorded in Plat Book 3, Page 94 of the Greenup County Clerk's Office; Thence with the north line of said Subdivision and the Revised City Limits, South 82°44'21" East a distance of 382.26 Feet to the point of beginning.

Prepared October 1, 2013

A handwritten signature in cursive script, appearing to read "Philip T. Biggs".

Philip T. Biggs, PE, PLS



**OVERSIZE MAP INCLUDED WITH  
SUBMISSION.**

To research the map, contact the  
Office of Secretary of State  
or the County Clerk.